

**IDAHO BOARD OF OPTOMETRY**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 2/24/2020**

**BOARD MEMBERS PRESENT:** Aaron J Warner, O.D. - Chair  
Lance W Fagan, O.D.  
Terri L Haley, O.D.  
William Von Tagen  
Jared Walker, O.D.

**BUREAU STAFF:** Kelley Packer, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Lori Peel, Investigative Unit Manager  
Nicholas Crema, General Counsel  
Rob McQuade, Legal Counsel  
Cesley Metcalfe, Board Specialist  
Roam Yocham, Board Specialist

**OTHERS PRESENT:** Lisa White, Idaho Optometric Physicians  
Lance Giles, Idaho Optometric Physicians  
Kris Ellis, Idaho Optometric Physicians  
Dr. Sharon Fritz, Department of Health & Welfare

The meeting was called to order at 9:30 AM MST by Aaron J Warner, OD.

**INTRODUCTIONS**

Ms. Packer introduced Roam Yocham as the new specialist for the Board.

**APPROVAL OF MINUTES**

Dr. Haley made a motion to approve the minutes of November 25, 2019 and December 6, 2019. It was seconded by Dr. Fagan. Motion carried.

**COMPLAINT MEMORANDUM**

Ms. Peel gave the investigative report, which is linked above.

## **EXECUTIVE SESSION**

Dr. Fagan made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Dr. Walker. The vote was: Dr. Warner, aye; Dr. Fagan, aye; Dr. Haley, aye; Mr. von Tagen, aye; and Dr. Walker, aye. Motion carried.

Mr. von Tagen made a motion to come out of executive session. It was seconded by Dr. Haley. Motion carried.

## **FOR BOARD DETERMINATION**

Mr. von Tagen made a motion to approve a request for a partial CE waiver and for Bureau staff to send an advisory letter in case number OPT-2020-1. It was seconded by Dr. Walker. Motion carried.

## **MISDEMEANOR DUI LETTER**

Ms. Peel presented a proposed letter for the Board to send to licensees who report having received a misdemeanor DUI conviction. Dr. Walker made a motion authorizing the Bureau to send this letter on behalf of the Board when applicable. It was seconded by Dr. Haley. Motion carried.

## **LAWS AND RULES**

Ms. Packer presented a legislative update. Ms. Packer stated that the Board's Act was amended to include additional language regarding allowable ophthalmic surgical procedures and qualifications for authorization to use therapeutic lasers. The amended bill was sent to Senator Martin, Senator Grow, and Representative Wood and will be reintroduced to the Idaho Senate Health and Welfare Committee.

Ms. Ellis stated that the current amendments were made to address the concerns brought forth by ophthalmologists during committee hearings in the Idaho House of Representatives and the Idaho Senate.

The Board discussed additional amendments to the qualifications for authorization to use therapeutic lasers. The Board removed optometrists from the list of approved supervisors.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$84,979.76 as of January 31, 2020.

## **BUREAU BUSINESS**

The Board reviewed the To Do List and no action was taken.

## **BOARD BUSINESS**

### **CONTINUING EDUCATION CREDITS FOR SUICIDE PREVENTION WORKSHOPS**

Ms. Packer introduced Sharon Fritz from the Department of Health and Welfare who gave a presentation regarding demographics of suicide rates within the state of Idaho. She stated that workshops in mental health first aid would teach licensees how to identify and respond to issues related to mental health. Mr. von Tagen made a motion to approve one hour of continuing education credit for workshops relating to mental health issues and suicide prevention and to post them on the Board's website. It was seconded by Dr. Walker. Motion carried.

## **PUBLIC COMMENT**

Ms. White, the new director of the Idaho Optometric Physicians, asked how the Board's law will proceed through the legislature. Ms. Packer provided an explanation of the process going forward.

## **ARBO UPDATES**

Dr. Haley presented an update from the Association of Regulatory Boards of Optometry committees on which she serves. She stated that ARBO is no longer receiving any revenue from the National Board of Examiners in Optometry (NBEO) due to a breakdown in negotiations. She also stated that the lack of contract frees ARBO from its obligations to use the NBEO exam.

Dr. Haley further stated that ARBO will be launching an app this summer that will offer items such as continuing education (CE) monitoring and CE course availability.

Dr. Haley further stated that all Idaho licensees have an Optometric Education (OE) Tracker number because it is required to take the NBEO exam. The Board should consider utilizing the ARBO OE Tracker CE audit to save time and money. A recent CE report showed that 20 percent of Idaho optometrists had obtained zero CE hours.

Dr. Haley finished her update by stating that many states are allowing licensees to obtain more CE hours via live online options.

## **ARBO MEMBERSHIP DUES AND ANNUAL MEETING**

The Board reviewed the Association of Regulatory Boards of Optometry membership dues invoice. Mr. von Tagen made a motion to direct Bureau staff to pay the ARBO invoice. It was seconded by Dr. Fagan. Motion carried.

The Board discussed the 2020 ARBO Annual Meeting information. Dr. Fagan made a motion to authorize two Board members and one Bureau staff to attend the annual meeting and for the Bureau to pay the related expenses. It was seconded by Mr. von Tagen. Motion carried.

## **CORRESPONDENCE**

The Board reviewed correspondence from the Association of Regulatory Boards of Optometry (ARBO) regarding the failed negotiations with the National Board of Examiners in Optometry (NBEO). No action was taken.

The Board reviewed correspondence from the NBEO regarding organizational updates. No action was taken.

The Board reviewed correspondence from the NBEO regarding an invitation to visit the National Center of Clinical Testing in Optometry in Charlotte, North Carolina. No action was taken.

## **EXECUTIVE SESSION**

Dr. Walker made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Mr. von Tagen. The vote was: Dr. Warner, aye; Dr. Fagan, aye; Dr. Haley, aye; Mr. von Tagen, aye; and Dr. Walker, aye. Motion carried.

Dr. Fagan made a motion to come out of executive session. It was seconded by Dr. Walker. Motion carried.

**NEXT MEETING** was scheduled for May 18, 2020 at 9:30 AM MDT.

## **ADJOURNMENT**

Mr. von Tagen made a motion to adjourn the meeting at 11:50 AM MST. It was seconded by Dr. Fagan. Motion carried.

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Aaron J Warner, O.D., Chair